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Letter from the Secretary of the Interior, to the Chairman of the Committee on Indian Affairs, communicating information in relation to the present condition of the Apache Indians in New Mexico.

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LETTER

FROM THE

SECRETARY OF THE INTERIOR,

TO

THE CHAIRMAN OF THE COMMITTEE ON INDIAN AFFAIRS,

COMMUNICATING

Information in relation to the present condition of the Apache Indians in New Mexico.

APRIL 18, 1876.—Referred to the Committee on Appropriations and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
Washington, April 17, 1876.

SIR: I have the honor to transmit herewith a communication, with accompanying papers, from the Commissioner of Indian Affairs, in relation to the present condition of the Apache Indians in New Mexico, and asking for an appropriation to enable the Department to meet the necessities of these Indians during the balance of the fiscal year.

The recommendations of the Commissioner are approved, and I would respectfully urge that early action may be taken by Congress in the matter.

I have the honor to be, sir, very respectfully, your obedient servant,
Z. CHANDLER,
Secretary.

Hon. WILLIAM B. ALLISON,
*Chairman Committee on Indian Affairs,
United States Senate.*

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., April 13, 1876.

SIR: I have the honor to transmit herewith a copy of a letter of the 7th instant from Hon. S. B. Elkins, inviting attention to a letter dated the 29th ultimo, addressed to him by J. M. Shaw, agent for the Apache Indians at the Southern Apache agency, New Mexico.

In his letter Agent Shaw details the dangerous condition of affairs at his agency on account of the limited quantity of supplies at his disposal,

which at the date of his letter were nearly exhausted, and setting forth the disastrous consequences to result from a stoppage of issue of supplies to his Indians.

I also inclose a copy of a letter from Agent Shaw, of the same date, addressed to this Office, upon the same subject, in answer to a telegram of the 28th ultimo, and copies of office-letter of the 19th of February last; and telegram above referred to.

In referring this matter for your consideration, I will state that the amount appropriated for the Apaches in New Mexico for the current fiscal year was \$100,000—\$25,000 less than was appropriated for the same purpose for the past fiscal year; that according to the annual reports of the several agents in New Mexico for 1875, 4,050 Apaches were on reservations during that year, and cared for and subsisted, while the reports of said agents for 1874 show that only 3,160 of said Indians were on reservations, thus showing a decrease of 20 per centum in funds and an increase of over 28 per centum in the number of Indians to be cared for, against the service for the present fiscal year, or a per capita of \$39.55 for the past and of only \$24.69 for the current fiscal year.

This latter sum was deemed inadequate, and my predecessor entered into contracts for a larger purchase of supplies than was warranted by the appropriation. A deficiency which had accrued before my entering into the service, and which now exists, of about \$24,000, was thus created.

Every effort has been made to carry on the service in New Mexico without appealing for congressional aid; but as there is already a deficiency of the amount named, thus leaving the Department powerless to comply with the requirements of the sixth section of the act of March 3, 1875, which provides that no deficiencies shall exist, and in view of the urgent demands for additional supplies for the Indians, not only at the Southern Apache agency, but at all the agencies in New Mexico, I am constrained to lay the matter before the Department, with the hope that the same may be forwarded to Congress with favorable recommendation for early action thereon by that body.

There will be required to meet the present deficiency, as before stated, about \$24,000; to pay for the actual necessary cost of running the several agencies to the close of the fiscal year, \$6,000, and for the purchase of additional supplies, \$10,000, making, in all, \$40,000.

Agent Shaw reports that he has a surplus of about twenty thousand pounds of sugar, which will not be needed, and has asked that he be authorized to sell or exchange the same for beef, flour, &c. As there is no law which would authorize a transaction of this character, he was notified that authority could not be granted him to do so.

I recommend, however, that Congress be asked to authorize the Department to sell the said sugar and use the proceeds in the purchase of supplies for the Southern Apache agency, or grant the requisite authority to exchange the same for beef, bacon, flour, &c., which can be done for its full value.

This sugar cost nearly 20 cents per pound, delivered at the agency, and, should Congress authorize its disposal in the manner indicated, the amount necessary to be appropriated for the objects herein named might be reduced to \$36,000.

I have the honor to be, very respectfully, your obedient servant,

J. Q. SMITH,
Commissioner.

The Hon. SECRETARY OF THE INTERIOR.

HOUSE OF REPRESENTATIVES, *Washington, D. C., April 7, 1876.*

DEAR SIR: Herewith I inclose you letter of J. M. Shaw, United States Indian agent for Southern Apaches of New Mexico, bearing date March 29, 1876, just received. I beg your attention thereto. If some steps are not taken, I am confident the Indians will leave the reservation and go to stealing and plundering.

The statements of Agent Shaw are entitled to great weight. He understands the Indians as well as any man I know.

Very respectfully,

S. B. ELKINS.

HON. JOHN Q. SMITH,
Commissioner of Indian Affairs.

SOUTHERN APACHE INDIAN AGENCY,
Santa Fé, N. Mex., March 29, 1876.

DEAR SIR: I came here to get in telegraphic communication with the Department. I had received a telegram from the Commissioner to receive no more beef to feed the Apaches. My flour was nearly exhausted, and what was I to do? I know too well (as you also do) the consequences of stopping the feeding of these Indians; the past bloody record of this tribe too plainly declares what to expect. I can keep them at peace on the reservation if any living man can, but no man can keep an Indian starving and keep him in subjection. I held a big council as soon as I received the telegram. The chiefs said they were contented; never so contented and happy as now; never had a *tuta* that treated them so well, and that they were keeping their treaty in good faith, and wished to continue, in peace; but if the Government broke the agreement first, they were not to blame, and could not restrain and keep their Indians at peace while they were hungry, and could not be held responsible for consequences. They had promised me to go to work planting this spring, and wanted to learn the habits of the white man; but if they had nothing to eat, they could not work, and of course must steal. Some of the chiefs even cried, and said they thought they had made an everlasting peace, one they have not broken, and will not, unless the Great Father first breaks his promises to feed them and take care of them. Now what can I say when I go back? This great Government, which we have represented so rich, so strong, and so powerful, refuses to fulfill its sacred promises, and that they must take care of themselves. Most undoubtedly they will do it, but the poor settlers and frontiersmen will suffer a heavy blow; their herds and flocks, that have been safe and secure even under the very shade of the wigwams of these Indians, will supply the place and be slaughtered for food; the emigrant trains and families, that have traversed even the reservation itself without arms in perfect security, will abandon their undertakings or suffer the consequences as soon as the present limited supply is exhausted.

I expect nothing can prevent a revolution and a virtual abandonment of the reservation in quest of food and plunder. I shall do all in my power to prevent it, but no finite power can keep this tribe quiet when they are suffering from hunger. What disastrous consequences to all this advantage gained by years of toil and labor, lost by a parsimonious idea of economy, when it will cost the Government a vastly greater amount to get them back into as good a state of subjection as they now are, besides the losses suffered by our citizens.

Every mountain stream and valley is now peopled by settlers, in the confidence that the Indians would not molest them. What can they do without protection from these savages? My heart sickens at the prospect. You know this tribe and their history. I need not enlarge. See if anything can be done whereby we can keep this tribe on the reservation. I have written the honorable Commissioner to allow me to exchange a large quantity of sugar I have on hand, and not needed this year, and which will suffer loss by keeping, for beef, corn, &c., to feed them. This morning I received this reply by telegraph:

"Cannot authorize exchange of sugar. Have no more money. Do keep Indians quiet, and use money on hand to best advantage.

"J. Q. SMITH,
"Commissioner."

Why keep this 20,000 pounds of sugar to waste, and let the Indians starve, when I can turn it right into food for them? This will last five or six years; it was purchased out of this year's appropriation. Why can we not exchange and spend it in this year? What has become of the appropriation for the Apaches? But few Indians have been fed at the Mescalero agency, for a great many were at my agency, and I fed them. It is not right that the appropriation should be used for other tribes. I want you to see the Commissioner and impress upon him the absolute necessity of doing something at

once. My instructions are positive, and I cannot go beyond them. I have no discretionary powers whatever, and of course cannot be held responsible for the results; but it appears to me that something can be done there to avoid disastrous results. If our highways are to be again drenched in the blood of our citizens at the hands of these demons incarnate, I want to free myself from responsibility in the matter. I have gotten along nobly; could not ask for better success than I have had in controlling them; they obey me like children; but once aroused, hunger staring them in the face, and no human arm can control them.

See what you can do, *and do it quickly*. I leave to-morrow for my agency. I fear to witness a scene of anarchy and the beginning of sorrow for Southern New Mexico.

I can keep them quiet for the rest of the year on half rations, perhaps less, but on *nothing* who can subsist? There is very little game that can be hunted to keep them. The inevitable result will be to steal and plunder, and murder, if necessary to accomplish their ends.

But you will see I have no alternative. Telegram of February 28 says: "Receive no beef on contract." Letter of 26th February says: "Discharge all employés at the close of the present quarter at furthest." Have no other recourse but to stop *all expenditures at once*; so you will see I can do nothing. I hope something can be done there to avoid so disastrous consequences as will follow. My agency up to date is in splendid order; our new buildings are completed, the Indians contented, and everything prosperous for the future till this death-blow fell.

If I had half a chance I could carry my agency through the year and keep the Indians on the reservation, but as it is I see breakers ahead. Aside from a desire to discharge faithfully my official duties, I have a deep interest for the welfare of the country as well as the Indians, and hope that something can be done to relieve us.

Yours, truly,

J. M. SHAW,

United States Indian Agent to Apaches.

Hon. S. B. ELKINS,
Washington, D. C.

OFFICE OF SOUTHERN APACHE INDIAN AGENCY,
Santa Fé, N. Mex., March 29, 1876.

SIR: I have the honor to acknowledge the receipt of your telegram of the 28th instant, also of February 28, and letters of the 19th and 26th of February, all containing the same subject-matter. The instructions contained therein will be strictly carried out, although disastrous consequences I fear will be the result. On the receipt of your first telegram I called a council of the tribe, in which they assured me they were never so contented and happy in their peaceful relations with the Government as now, and with good faith to keep the everlasting peace they had made and which they have not broken; but if the Great Father broke the peace they would not be to blame, and it would be impossible for them to keep their people in subjection, as they would not starve when they could steal. As the result of the council, I hastened to the nearest point of communication by telegraph to ascertain what I could do for them, and to return and inform them of the result. I leave for my agency to-morrow with a sad heart, to lay before them the result of my effort. I had hoped to receive a more favorable answer, especially in reference to exchanging the large amount of sugar on hand for something more substantial for their subsistence. This sugar is subject to loss by keeping exposed to the ravages of ants and other insects, and having been purchased by this year's appropriation, could see no objection in making it subserve the best interest of the service by expending it in the way proposed; in no other way can it do them as much good. It is a difficult matter to control them when fed; what will it be when they have nothing to eat? Most undoubtedly they will steal and plunder, and years of labor and expense be lost by withholding from them what was promised when they made peace. If they are driven to this by the action of the Government, it will be a more difficult task than is imagined to bring them again to the state of subjection they are now in. Were you as familiar with their bloody history for the past twenty-five years as I am, you could more fully appreciate the importance that attaches to this subject. If they lose their confidence in the justice and good faith of the Government, it will be difficult to restore it again. I most sincerely hope some plan may be devised by which this may be avoided; at the same time I can appreciate the difficulties by which you are surrounded in trying to relieve us in this emergency. But the object to be attained is so desirable and of such vast importance that it justifies the use of all legitimate means to secure it. I have written to Hon. S. B. Elkins, our Delegate, to call at your Office and see if something cannot be done to prevent the evils that are threatening us. The funds on hand will be used to the best possible advantage, and no indebtedness incurred. I am sixty miles from the nearest post-office, and must have a man to ride express or have no communication with the mail-

route. I have no fear for our personal safety at the agency, and hope that my fears for the safety of others will prove groundless. I have been feeding a large number of Apaches from the Mescalero reservation, which refused to go there. It occurs to me that the whole appropriation for the Apaches could not have been expended for their benefit, as comparatively few Indians have been fed at that agency, according to the report of Special Commissioner McNulty and agent. Is it not possible to apply a portion of the amount set apart for them to these Indians? Excuse me for making suggestions. I am in a most exceedingly embarrassed situation and most deeply realize the necessity of something being done to relieve us. Will close by hoping for the best.

Very respectfully, your obedient servant,

J. M. SHAW,
United States Indian Agent.

Hon. J. Q. SMITH,
Commissioner of Indian Affairs, Washington, D. C.

FEBRUARY 19, 1876.

SIR: Replying to your letter of the 3d instant relative to flour delivered by Louis Rosenbaum at the Southern Apache agency, New Mexico, and to your request that the additional 25 per cent. named in his contract may be ordered from the contractor, I have to advise you that your request cannot be granted, for the reason that there are no funds at the disposal of this Office applicable to the payment of the said additional 25 per cent.

In this connection your attention is called to section 6, page 34, of the appropriation bill for the present fiscal year, which provides for the proper distribution of supplies for the Indian service, and to advise you that owing to the limited amount of funds on the books of this Office that can be used for the purchase of supplies and payment of services rendered at your agency up to June 30, 1876, you will have to exercise the strictest economy in matters pertaining to the service under your charge, and to reduce the issues of supplies to the lowest possible quantities that can be used without causing suffering among the Indians. You are also directed to immediately dispense with the services of all special and regular employes that can be spared without serious detriment to the service. Your special attention is desired in these matters, and any failure to comply with the above instructions will be considered a sufficient reason to recommend a change to be made at your agency.

Very respectfully,

J. Q. SMITH,
Commissioner.

J. M. SHAW,
U. S. Indian Agent, Southern Apache Agency, Ojo Caliente, Socorro County, N. Mex.

[Telegram.]

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., March 28, 1876.

Agent SHAW,
Southern Apache Agency, via Santa Fé, New Mexico :

Cannot authorize exchange of sugar. Have no more money. Keep Indians quiet and use money in hand to best advantage.

J. Q. SMITH,
Commissioner.

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